BEFORE THE HEARING EXAMINER
CITY OF SEATTLE

In Re: Appeal by MASTER BUILDERS ASSOCIATION OF KING AND SNOHOMISH COUNTY, LEGACY GROUP CAPITAL, LLC, BLUEPRINT CAPITAL SERVICES, LLC, AA ASHWORTH DEVELOPMENT LLC, BLACKWOOD BUILDERS GROUP LLC, and BUILD SOUND, LLC, of the SEPA Threshold Determination of Non-Significance for the Tree Protections Update.	Hearing Examiner File: **W-22-003** CITY OF SEATTLE'S RESPONSE TO APPELLANTS' CLOSING BRIEF

I. INTRODUCTION

The City's SEPA DNS should be upheld. The City's Closing Brief outlined the City's thorough environmental analysis and highlighted the evidence presented at the hearing and in the record that supports the DNS. Appellants fail to meet their high burden. The arguments raised by the Appellant lack sufficient evidence and are red herrings because they rely on false comparisons of the regulation of significant trees and the regulation of exceptional trees. None of the Appellants' witnesses presented any expert report or study that analyzed the proposal and concluded that the proposal would result in significant adverse environmental impacts.

Ann Davison
Seattle City Attorney
701 Fifth Ave., Suite 2050
Seattle, WA 98104-7095
(206) 684-8200

II. APPELLANTS FAIL TO MEET THEIR HIGH BURDEN

A. Appellants wrongly asserts that the City ignored the fact that trees grow.

The City did not ignore the fact that trees will grow.[1] This argument from the Appellants is absurd. The City is fully aware that trees will continue to grow, and some trees will grow large enough to be subject to the City's tree regulations. Appellants erroneously assert, without any citation or specification, that City witnesses confirmed they did not consider the impacts of the proposal over the lifetime of the proposal.[2] No City witness confirmed any such thing.

Rather, it is the Appellants that seem to ignore the fact that trees grow old and become unhealthy and die, and that trees are commonly removed as part of the development process and replaced by younger, smaller trees. The life cycle of Seattle's urban forest is always in flux but balances out. For example, Appellants' own charts illustrate that it is common for trees to be removed during the development process.[3] The proposal would also allow a property owner to voluntarily pay a fee to a city tree planting fund in lieu of onsite replanting.

B. Appellants make false comparisons regarding the regulation of exceptional trees and significant trees, ignoring the major differences.

Throughout their closing brief, Appellants argue that the proposal will impact three times as many development sites than are currently impacted, and thus they argue the proposal is three times more impactful than the status quo.[4] This is a red herring, as the false comparison ignores the fact that the vast majority of the newly impacted development sites are impacted by significant trees, and not exceptional trees. Appellant ignores the major differences between the

[1] See Appellants' Closing Brief, p. 3, line 3-5.
[2] See Appellants' Closing Brief, p. 3, line 7-8.
[3] Appellants' Ex. 21 and 22.
[4] See Appellants' Closing Brief, p.

Ann Davison
Seattle City Attorney
701 Fifth Ave., Suite 2050
Seattle, WA 98104-7095
(206) 684-8200

regulation of exceptional trees, projected to increase only slightly, and significant trees, in their attempt to pitch this proposal as being more impactful than it is.

Currently, the City estimates that 6,480 out of 162,000 development sites (4%) are affected by an exceptional tree. The proposal's change in the definition of "exceptional tree" is expected to increase that number by 1,620 lots to 8,100 out of 162,000 development sites, a 1 percent increase. When comparing the impacts of the proposal to the baseline, this is the critical comparison because that is the number of new lots that will be required to receive SDCI's approval to remove an exceptional tree during development by first making the showing that the exceptional tree will be too much in the way of building at full development capacity even after applying development adjustments.

Appellants' developer witnesses testified that the regulations for "exceptional trees" adversely affected development because they added time and cost to the development review process, and, in their opinion, added too much uncertainty and risk. On the other hand, non-exceptional trees did not even register a blip on the developer witnesses' radar because a developer can simply propose to remove a non-exceptional tree without any additional analysis, and it will be approved as part of the building permit approval.

This is important because under the proposal, during development, the newly named category of "significant trees" will be essentially regulated the same as non-exceptional trees are currently. Whereas the City projects that about 17,820 development sites will be affected by a significant tree (11% of 162,000), the impacts of the presence of a significant tree are minimal because they do not impact the time or cost of the development application process any more than a non-exceptional tree would currently, with the exception that a significant tree over 12 inches DSH will require mitigation either through replanting or voluntarily paying a tree planting

Ann Davison
Seattle City Attorney
701 Fifth Ave., Suite 2050
Seattle, WA 98104-7095
(206) 684-8200

fee in lieu of onsite replanting. Unlike the process to remove an "exceptional tree," a developer would not need to make any showing that a "significant tree" is too much in the way of the site's development potential, so the risk and uncertainty that the developer witnesses testified about should not be present in a development project that involves a "significant tree."

Despite these key differences, Appellants would have development sites impacted by a "significant tree" and "exceptional tree" treated as though they were equally impacted. This false comparison erroneously becomes the cornerstone of the Appellants' argument. For instance, Appellants' Closing Brief provides that "Given the number of lots that would contain regulated trees by protecting significant trees over 12-inches and all trees over 24-inches as exceptional," the developer witnesses "expect that there will be far fewer lots the development or redevelopment of which would otherwise be feasible."[5] This statement completely ignores the fact that for trees between 12 inches DSH and 24 inches DSH, there will be no change from the status quo regarding the allowed removal of such tree during the development process, except that mitigation will now be required.[6]

C. Appellant did not raise procedural issue with SMC 25.05.926.B or a general bias claim and should not be allowed to raise those issues now. Nonetheless, the City's environmental review of the proposal was in full compliance with SMC 25.05.926.B and was unbiased.

Appellant alleges that the City did not comply with SMC 25.05.926.B and was somehow biased when it issued the DNS.[7] These issues were not raised in the Notice of Appeal and are not within the scope of the appeal and for that reason should be dismissed. Nonetheless, those arguments are without merit.

[5] See Appellants' Closing Brief, p. 10, lines 1-4.
[6] See City Ex. 15.
[7] See Appellants' Closing Brief, p. 24, lines 1-22.

Ann Davison
Seattle City Attorney
701 Fifth Ave., Suite 2050
Seattle, WA 98104-7095
(206) 684-8200

The City's environmental review of the proposal fully complied with SMC 25.05.926.B. SMC 25.05.926.B provides that "[W]henever possible, agency people carrying out SEPA procedures should be different from agency people making the proposal." Chanda Emery testified that she was the lead planner that prepared the proposal, with assistance from her supervisor Mike Podowski, and that she had prepared the environmental checklist with Mr. Podowski's help as the "agency people making the proposal."

Separately, Gordon Clowers was the agency person "carrying out SEPA procedures" as the SEPA Responsible Official. SMC 25.05.926.B does not prohibit Mr. Clowers from communicating feedback and helpful guidance to the agency people making the proposal. By doing so, Mr. Clowers did not insert any bias into the environmental review process.

D. The City properly completed the SEPA Checklist, including Section B and Section D.

Appellants make a hollow assertion that the City failed to meaningfully complete the SEPA checklist.[8] Appellants make this argument without any citation to the checklist and without any specificity as to what sections of the checklist they allege to be incomplete. As made clear in the City's Closing Brief, the checklist was thorough, detailed and complete.[9] Sufficient information was provided for each question in Section B, as well as Section D.

Further, the City did not limit its environmental review to the contents of the policies found in SMC 25.05.675, as asserted by the Appellant.[10] The City fully completed the environmental checklist and Mr. Clowers reviewed all the environmental documents and issued a thorough and detailed DNS and he did not testify that his environmental review was in any way

[8] See Appellants' Closing Brief, p. 7, lines 14-15.
[9] Appellants' Ex. 2.
[10] See Appellants' Closing Brief, p. 6, lines 18-24.

Ann Davison
Seattle City Attorney
701 Fifth Ave., Suite 2050
Seattle, WA 98104-7095
(206) 684-8200

limited to the contents of the policies found in SMC 25.04.675. The environmental checklist, together with the Director's report, identified the impacts of the proposal to the City's existing housing stock, as well as the impacts to future development patterns and consistency with Seattle's comprehensive planning policies and urban forest management policies.

E. The DNS is thorough and fully complies with SEPA regulations.

As the City demonstrated in its closing brief, the DNS is thorough and fully complies with SEPA regulations.[11] The Appellant does not meet its high burden of proof because Appellants do not provide sufficient evidence to show that the City's analysis was clearly erroneous nor do Appellants provide sufficient evidence to show that the proposal will lead to probable significant adverse environmental impacts.

1. SDCI engaged with the development community early in the process.

Appellants assert that if SDCI simply asked the development community prior to issuing the checklist and DNS, that the City would have learned that developers routinely pass on opportunities to develop or redevelop properties when there is an exceptional tree.[12] However, the Community Engagement Summary Report includes contemporaneous notes from a meeting SDCI had with the development community in 2021 that tells a different story.[13] The contemporaneous notes from the meeting, a meeting that included a representative from both Blueprint Capital and Shelter Homes, include a bullet point that states "[O]nce you become knowledgeable enough about the tree code, it is easy to understand what you can do with your development and retain the trees. However, it is nuanced and is hard for someone who is new to the code to understand." The report did not indicate that anyone from the development

[11] Appellants' Ex. 1.
[12] See Appellants' Closing Brief, p. 8, lines 4-8.
[13] City Exhibit 16, p. 17-19.

Ann Davison
Seattle City Attorney
701 Fifth Ave., Suite 2050
Seattle, WA 98104-7095
(206) 684-8200

community expressed to SDCI that they were routinely passing on development projects due to current tree regulations.

2. The testimony of Appellants witnesses was subjective, anecdotal, and not supported by sufficient evidence.

Lucas DeHerrera testified that Blueprint considers over 4,000 sites each year for development and that 450 to 500 of those sites are rejected each year due to the presence of an exceptional tree. He also testified that 80% of Blueprint's projects contain a tree 12 inches DSH or greater.[14] No empirical evidence, documents, data, or other written evidence was provided in support of these figures – just Mr. DeHerrera's subjective best guess. Without any documentation to support these estimates, they are the type of estimates in which inherent bias is possible.

Even assuming his estimate is accurate, at best, this evidence is anecdotal, and not necessarily reflective of the greater development community. Further, the testimony reflects that each year, Mr. DeHerrera reviews about 3,500 potential development sites not affected by the Tree Protection Ordinance. This figure is important in that it is reflective of the City's findings, that only 5% of development sites are projected to be affected by an exceptional tree protection area (up 1% from current). Therefore, if the proposal were adopted, it is likely that Mr. DeHerrera will continue to find that most of the potential development sites he reviews for Blueprint are not impacted by an exceptional tree, even under the new definition. Based on these figures, it seems unlikely that Mr. DeHerrera or any other developer will flee the Seattle market simply to avoid the proposed additional tree regulations.

[14] Further in the Appellants' Closing Brief, the estimated percentage goes from 80% to 75%. See Appellants' Closing Brief, p. 14, line 19-21.

Ann Davison
Seattle City Attorney
701 Fifth Ave., Suite 2050
Seattle, WA 98104-7095
(206) 684-8200

Even though more potential development sites will be impacted by a significant tree, the impacts would be minimal, because applicants will **not** "need to design and redesign their plans to show the SDCI planner that a [significant] tree cannot be saved while achieving the allowed development potential" as might be required for exceptional trees.[15] Further, development adjustments are not applicable to significant trees. So, with a significant tree, the process is **not** further complicated by applying development adjustments which "can cause issues elsewhere."[16] (emphasis added).

Likewise, the testimony of Michael Pollard and Todd Britsch was similarly subjective and not supported by substantial evidence. For instance, Mr. Britsch testified that "he had about 15 conversations with developers who have left Seattle to build elsewhere." The "15 conversations" were not randomly selected, but undoubtedly biased and interpreted through a lens of confirmation bias. As noted in the City's Closing Brief, Mr. Britsch's testimony regarding developers moving out of Seattle and his anticipated drop in the number of permits in the pipeline is based on current market conditions, and completely unrelated to the proposal.

3. SDCI considered the best available data in preparing the DNS.

Appellants erroneously assert that Mr. Clowers failed to consider critical and available information.[17] Appellants are wrong.

For instance, Appellants suggest that Mr. Clowers should have, but did not, analyze the increased frequency of developers deciding against purchasing properties or submitting development. However, Mr. Clowers did sufficiently analyze the potential impact by noting that it was possible it might occur. The City identified that there will only be an additional 1% of

[15] Appellants' Closing Brief, p. 9, line 12-14.
[16] Appellants' Closing Brief, p. 9, line 14-17.
[17] See Appellants' Closing Brief, p. 13.

Ann Davison
Seattle City Attorney
701 Fifth Ave., Suite 2050
Seattle, WA 98104-7095
(206) 684-8200

development sites (1,620 sites) out of 162,000 development sites affected by an exceptional tree. So, the change in the frequency of developers deciding against purchasing properties impacted by an exceptional tree would be minimal, at most. Regardless, this type of subjective impact, based on the psyche of a developer, is too speculative and SEPA does not require such a study for this proposal.

Also, Appellants suggest that Mr. Clowers should have analyzed the frequency of previous occurrences of development adjustments. Again, because there will only be an additional 1% of development sites affected by an exceptional tree from the proposal, this small number of new lots would be the only new lots subject to the development adjustments. This amount is minimal. The additional 17,820 new lots that are estimated to be impacted by a significant tree are not subject to development adjustments and would not belong in any such analysis .[18]

In summary, Appellants recognize Mr. Clower's significant experience in environmental reviews, but nonetheless nitpick minor items that would have minimal impacts regarding the amount of change from the baseline or status quo, considering the small number of new lots affected by exceptional trees.

4. SDCI Utilized reliable and best available GIS data.

The testimony of Charles Spear and Christina Thomas, as summarized in the City's Closing Brief, explained the GIS analysis in detail. The GIS analysis utilized the City's best available and reliable data. Appellants wrongly allege that the GIS data the City utilized was not reliable.

First, Appellant erroneously asserts that no one thought to adjust the 2016 LiDAR data to

[18] See Appellants Ex. 4, p. 18 (proposed SMC 25.11.060)

Ann Davison
Seattle City Attorney
701 Fifth Ave., Suite 2050
Seattle, WA 98104-7095
(206) 684-8200

account for tree growth over the intervening five years.[19] Such an adjustment was not necessary because just as some trees will grow larger and become subject to the regulations, so too will some trees grow old and die, or be removed during the development process. There is a balance in the life cycle of the City's urban forest. If the growth of trees was such an inexorable force as suggested by Appellants, the City would have been overrun by giant trees a long time ago without room for anything else.

Next, Appellant seems to take issue with SDCI's approach using height as a proxy for the width of a tree, citing Mr. Haywood's testimony that species traits and growing conditions can make a simple correlation unreliable.[20] However, Mr. Jarlath O'Neil-Dunne from the University of Vermont Spatial Analysis Laboratory, the City's expert consultant hired to perform the City's tree canopy study, used DSH as a proxy for height. Even though the correlation will have outliers, that does not make it unreliable. The important thing is that the number of lots containing trees above a certain height percentile and the number containing trees above a certain DSH percentile should be roughly equivalent. This makes intuitive sense and was confirmed by Mr. Jarlath O'Neil-Dunne. The City calibrated the GIS data against permit system data to confirm our estimate of lots containing exceptional trees to confirm the accuracy of the count.[21] Also, contrary to Appellants' erroneous assertion, SDCI did in fact take into consideration trees less than 24 inches DSH that are exceptional because of their species, by applying a species factor of 9%.[22] If the species factor is greater than 9%, that means the City overstated the number of trees that the proposal will impact which means that the proposal's impacts are less

[19] Appellants' Closing Brief, p. 15, line 8-9.
[20] Appellants' Closing Brief, p. 15, line 23-25.
[21] See City Ex. 22.
[22] See Appellants' Ex. 27.

Ann Davison
Seattle City Attorney
701 Fifth Ave., Suite 2050
Seattle, WA 98104-7095
(206) 684-8200

significant, and if the species factor is less than 9%, then the impact is less than 9% and not material to the overall conclusions.

Appellants assert that the City should have done its own iTree survey. [23]However, the City lacked both the funding and time for such an expensive undertaking and the Appellants do not provide any evidence, let alone sufficient evidence to support the conclusion that using the USFS iTree available survey data – the San Francisco distribution curve as a proxy for Seattle's own curve – was clearly erroneous. Deborah McGarry testified that out of the 30 cities across the country that participated in the US Forest Services' ITree survey, San Francisco's climate and urban forest was most similar to Seattle.

Regarding the use of Accella data, if the Appellants are correct that the actual number of trees in Seattle larger than 30-inches is likely greater than the 8% calculated from the Accella data, that means that the City's statistics likely overstated the impact of the proposal, since a higher percentage of trees over 30 inches DSH by definition means there will be a lower percentage of trees under 30 inches DSH.[24] So, this would mean that there would be fewer new lots impacted by the proposal not already impacted under the current Tree Protection Ordinance.

Similarly, Appellant argues that there are currently more exceptional trees and regulated lots than the City calculated.[25] If this were true, then it would lend support to the City's position that the proposal is even less impactful, as it reduces the amount of change between the existing regulations and the changes from the proposal.

[23] See Appellants' Closing Brief, p. 16, line 10-17.
[24] Appellants' Closing Brief, p. 16, line 21-22.
[25] Appellants' Closing Brief, p. 17, line 17-18.

Ann Davison
Seattle City Attorney
701 Fifth Ave., Suite 2050
Seattle, WA 98104-7095
(206) 684-8200

5. SDCI did not fail to account for differences between the existing code and the proposal.

Appellants argue that the City failed to consider impacts from other differences between the existing code and the proposal. Appellants provide no authority or citation to support this assertion.[26] Rather, Appellants speculate that there will be "no mechanism for removing" covenants that will be required to be placed on exceptional tree and significant tree protection areas for such trees not removed during the development application process "if the protected tree eventually dies or is otherwise removed."[27] Importantly, the covenant has not yet been drafted so the Appellants' argument is built entirely on speculation as to what will or will not be provided in the covenant. Appellants ignore the fact that the covenant might include language that would automatically terminate the covenant if the protected tree eventually dies or is otherwise approved to be removed.

Appellants also present a weak argument that the SEPA DNS should have also considered the time and expense of determining how to either replace significant trees or to make a payment in lieu. This is dependent on each individual site and the developers' preferences. Such an impact is too remote and speculative and is not something that SEPA requires.

F. The City properly analyzed the proposal's ability to meet the City's Comprehensive Plan goals and policies.

Gordon Clowers testified that he reviewed all the environmental documents, including the City comprehensive plan goals and policies outlined in the environmental checklist and Director's Report and determined the proposal to be consistent with the comprehensive plan, including the housing, land use, growth strategy, and environmental goals.

[26] See Appellants' Closing Brief, p. 19, line 2-7.
[27] Id.

Ann Davison
Seattle City Attorney
701 Fifth Ave., Suite 2050
Seattle, WA 98104-7095
(206) 684-8200

Despite the testimony from Mr. Clowers, Appellants wrongly assert that the City's housing goals were not considered as part of the environmental review.[28] It is clear from the SEPA environmental documents that the housing goals were included as part of the environmental analysis. The Director's Report provides that the proposal was determined to be consistent with the comprehensive plan goals and policies, and specifically lists specific housing goals in that section of the report.[29] Gordon Clowers testified that he reviewed all the environmental documents, including the Director's Report, during his review and preparation of the DNS.

Appellants argue that the current Tree Protection Ordinance has contributed to development patterns that were not intended by current zoning with the abandonment of multifamily lowrise zones in favor of development in the far less dense single-family zone.[30] However, the City's empirical housing data shows the opposite to be true, that most of the City's growth over the last decade has been in the City's higher density areas, its urban centers and urban villages, and not single-family zoned areas.[31] Even if the testimony was taken as true, it is not relevant to assessing the proposal's potential environmental impacts, because such impacts would be the result of the existing code, the baseline, and not the proposal.

Appellants erroneously assert that SDCI did not consider impacts to affordable housing and that such impacts were not included in the environmental checklist and DNS.[32]

The DNS analyzed the proposal's impacts to future development patterns related to housing and affordability and recognized that the proposal "could potentially be viewed as

[28] See Appellants' Closing Brief, p. 20, line 8-13.
[29] Appellants Ex. 3, p. 22-24.
[30] See Appellants' Closing Brief, p. 21, line 6-9.
[31] See City Ex. 28 and 29.
[32] See Appellants' Closing Brief, p. 21, line 20-25.

Ann Davison
Seattle City Attorney
701 Fifth Ave., Suite 2050
Seattle, WA 98104-7095
(206) 684-8200

creating competing interests between land use regulations and tree protection regulations, but would not fundamentally reshape the typical prevailing land use and development patterns within any given zoning designation or neighborhood."[33] The DNS went on to recognize that development would still be possible in many, if not most cases, and protecting regulated trees, as proposed, "would not prohibit development, but rather would require sensitivity in site design." Accordingly, the analysis in the DNS did consider future development patterns and the impact on future housing and affordability and determined that the impacts would be minimal, even for the lots newly affected by exceptional trees, because development on those affected sites would still be possible in many if not most cases with more sensitivity in site design.

G. The Appellant failed to meet their high burden that SDCI failed to analyze impacts to all other areas of the built environment.

Issue C.3 of the Notice of Appeal should be dismissed because the potential impacts to transportation, parking, and utilities were properly analyzed in the DNS, and properly determined to be minimal "due to a lack of a significant material relationship of the contents of the proposal to these environmental elements."[34] For this proposal, this was a sufficient analysis of the potential impacts to these environmental elements. Mr. Clowers concluded that the proposal would not be likely to increase demands or impacts on transportation or public services and utilities systems in a significant adverse manner from their current baseline levels.

The Appellants present a speculative theory that the proposal, if adopted, would amend the Tree Protection Ordinance in a way that would drive development out of Seattle and into other jurisdictions. The City disagrees that the proposal would cause such an effect, considering that the proposal only impacts a small percentage of development sites, but even assuming it was

[33] Appellants' Ex. 1, p. 11.
[34] Appellants Ex. 1, p. 15 and 16.

Ann Davison
Seattle City Attorney
701 Fifth Ave., Suite 2050
Seattle, WA 98104-7095
(206) 684-8200

true, this would further support the City's determination that the proposal would not be likely to increase demands or impacts on Seattle's transportation or public services and utilities systems in a significant adverse manner.

Instead, Appellants erroneously argue that the City should have studied the impacts the proposal might potentially have on other jurisdictions. As argued in the City's Closing Brief, the City disagrees that the proposal will result in adverse impacts outside of Seattle, and that those potential impacts from such an occurrence is far too remote and speculative for SEPA to require such a study.

For instance, Appellants do not even suggest a location where this new housing will be provided, and instead use the phrase "Depending on where that density moves" making clear the Appellants do not know where such an impact study would even be appropriate.[35]

The testimony from Mike Swensen was entirely speculative and was unsupported by any expert reports, analysis, or empirical data that would support a conclusion that the proposal would have probable significant adverse environmental impacts in Seattle or in any jurisdictions outside of Seattle. Mr. Swensen did not study or address in his testimony why the transportation, parking, or utility systems of some other city jurisdictions, or a combination of them, would not be able to absorb such additional density. Appellants have not presented any evidence that any other jurisdiction's transportation system, parking, or utility resources would be impacted by probable significant adverse environmental impacts.

III. CONCLUSION

The Hearing Examiner should uphold the DNS. As presented at the hearing and in the City's Closing Brief, the City presented sufficient evidence that it complied with SEPA's requirements.

[35] See Appellants' Closing Brief, p. 23, line 3.

Ann Davison
Seattle City Attorney
701 Fifth Ave., Suite 2050
Seattle, WA 98104-7095
(206) 684-8200

The City quantified the impact of the proposal using best available data, compared the proposal to the baseline, and properly determined that the proposal's potential adverse impacts to the environment were essentially neutral, with some potential minor adverse impacts to future development patterns, along with positive environmental benefits to other elements of the environment.

Appellants did not meet their burden. Appellants failed to establish error in the City's SEPA analysis and consideration. The arguments raised in the Appellants' closing brief fall short of their high burden as they fail to provide sufficient evidence that the City's environmental review was clearly erroneous, and fail to provide sufficient evidence of probable significant impacts that were not considered during the City's review.

DATED this 19th day of July 2022.

ANN DAVISON
Seattle City Attorney

By: *s/Daniel B. Mitchell*, WSBA #38341
Assistant City Attorney
Seattle City Attorney's Office
701 Fifth Ave., Suite 2050
Seattle, WA 98104-7095
Ph: (206) 684-8616
Fax: (206) 684-8284
Email: daniel.mitchell@seattle.gov
Attorneys for Respondent City of Seattle,
Department of Construction and Inspections

Ann Davison
Seattle City Attorney
701 Fifth Ave., Suite 2050
Seattle, WA 98104-7095
(206) 684-8200

CERTIFICATE OF SERVICE

I certify that on this date, I electronically filed a copy of the foregoing document with the Seattle Hearing Examiner using its e-filing system. I also certify that on this date, a copy of the same document was sent via email to the following parties:

Brandon Gribben bgribben@helsell.com Samuel M. Jacobs sjacobs@helsell.com Attorneys for Appellants Master Builders Association of King and Snohomish County, Legacy Group Capital, LLC, Blueprint Capital Services, LLC, AA Ashworth Development, LLC, Blackwood Builders Group, LLC, and Build Sound, LLC	☒ E-Service ☐ U.S. Mail ☐ Legal Messenger ☐ Facsimile
Claudia Newman Bricklin & Newman, LLP 123 NW 36th Street, Suite 205 Seattle, WA 98107 newman@bnd-law.com Attorney for Intervenor TreePAC	☒ E-Service ☐ U.S. Mail ☐ Legal Messenger ☐ Facsimile

Dated this 19th day of July 2022, at Seattle, Washington.

s/ Eric Nygren
ERIC NYGREN, Legal Assistant

Ann Davison
Seattle City Attorney
701 Fifth Ave., Suite 2050
Seattle, WA 98104-7095
(206) 684-8200